

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, MPA, P.Eng.,  
Deputy City Manager, Planning and Economic Development  
**Subject:** Application By: Econ Consultant Ltd.  
3195 White Oak Road  
**Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Econ Consultant Ltd. relating to the property located at 3195 White Oak Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h-94\*R1-3(21)) Zone **TO** a Residential R1 Special Provision (R1-3(21)) Zone to remove the "h-94" holding provision.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h-94" holding symbol from the zone map to permit the development of single detached dwellings.

### Rationale of Recommended Action

The conditions for removing the holding provision have been met. Provisional Consent (B.039/21) was granted on February 27, 2022 to consolidate the remnant part blocks. The applicant has submitted a complete clearance of conditions package that has been accepted by staff as of the deadline date for finalization of this report. It is anticipated that certificates of consent will be issued and registered by the time that this matter goes to Municipal Council. The removal of the holding provision will allow the applicant to submit and be issued building permits and supports re-building the local economy.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**May 12, 2003** – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

**April 26, 2010** - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

**June 4, 2019** - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980)).

**July 22, 2020** - London Consent Authority - 2748714 Ontario Inc. (c/o Mohamed Abuhajar) Application for consent regarding the property located at 3195 White Oak Road. Notice of Provisional Consent Decision was granted on November 30, 2020 (B.021/20)

**February 8, 2021** - Planning and Environment Committee – 2748714 Ontario Inc. regarding the property located at 3195 White Oak Road – Application for Zoning By-law Amendment (Z-9204).

**February 16, 2022** - Committee of Adjustment - Econ Consultant Ltd. Application for consent regarding the property located at 3195 White Oak Road. Notice of Provisional Consent Decision was granted on January 27, 2022 (B.039/21).

## **1.2 Planning History**

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharnccliffe Road South, Southdale Road East, White Oaks Road and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area and re-designated the lands from “Urban Reserve – Community Growth”. At the time, the subject site was designated as “Restricted Service Commercial”.

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The Plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The lands are currently designated Low Density Residential.

A draft plan of subdivision (file 39T-18505/1/Z-8980) was submitted for the lands located at 3087 White Oak Road (to the north of the subject site) on December 10, 2018. Municipal Council approved the plan and the associated zoning by-law amendment. The Approval Authority granted draft approval on July 22, 2019. The plan was registered on December 23<sup>rd</sup>, 2020 consisting of 72 single detached lots, 2 medium density blocks, 2 future development blocks, 3 road widening blocks, and 2 0.3m reserves, all serviced by the extension of four existing public streets (Petty Road, Bateman Trail, Lemieux Walk, and Biddulph Street).

## **1.3 Property Description**

The site is addressed as 3195 White Oak Road. These lands are within a registered plan of subdivision Plan 33M795. The lands are currently vacant.

## **1.4 Current Planning Information (see more detail in Appendix D)**

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Residential R1 Special Provision h-94\*R1-3(21)

## **1.5 Site Characteristics**

- Current Land Use – single detached dwelling/vacant
- Frontage – approx. 50m (164 feet) along Petty Road
- Depth – varies
- Area – 1.97ha (4.86 ac)
- Shape – irregular

## 1.6 Surrounding Land Uses

- North – future residential/vacant
- East – commercial/warehousing
- South – residential
- West – residential

## 1.7 Location Map





## **2.0 Discussion and Considerations**

### **2.1 Description of Proposal**

The site is addressed as 3195 White Oak Road, on the south side of Southdale Road East, west of White Oak Road. The subject lands have a total frontage of 50 metres on Petty Road, with a site area of approximately 1.97 hectares. The subject lands are presently vacant. There are existing residential uses to the west and vacant lands to the north, east and west.

The applicant is requesting the removal of the “h-94” holding provision from the Zone on the subject lands, which requires that the part residential blocks be consolidated with adjacent lands. The requested amendment will permit the development of up to four (4) single detached dwellings.

### **2.2 Community Engagement (see more detail in Appendix B)**

On June 17, 2021 a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

### **2.3 Policy Context (see more detail in Appendix C)**

*The Planning Act* permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s).

The London Plan and the 1989 Official Plan contain policies with respect to holding provisions, the process, and notification and removal procedures.

## **3.0 Financial Impact/Considerations**

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

## **4.0 Key Issues and Considerations**

### **4.1 What is the purpose of the “h-94” holding provision and is it appropriate to consider its removal?**

**The “h-94” holding provision states:**

*Purpose: To ensure that there is a consistent lotting pattern in this area, the “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands.*

Provisional Consent (B.039/21) was granted on January 27, 2022 to consolidate the remnant part blocks with adjacent lands to create a consistent lotting of single detached lots. The applicant has submitted a complete clearance of conditions package that has been accepted by staff as of the deadline date for finalization of this report. It is anticipated that certificates of consent will be issued and registered by the time that this matter goes to Municipal Council on June 14, 2022.

This satisfies the requirement for the removal of the “h-94” holding provision.

## **Conclusion**

The Applicant has completed the necessary severance application to consolidate the remnant part blocks with adjacent lands to create a consistent lotting of single detached lots. The removal of the holding provision will allow the applicant to submit and be issued building permits and is being recommended to Council for approval. The removal of this holding provision supports the re-building of our local economy.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

**Recommended by:** Gregg Barrett, AICP  
Director, Planning and Development

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager,  
Planning and Economic Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/GB/BP/Sm/sm

## Appendix A

Bill No. (Number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3195 White Oak Road.

WHEREAS Econ Consultant Ltd. has applied to remove the holding provision from the zoning for the lands located at 3195 White Oak Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3195 White Oak Road, as shown on the attached map, comprising part of Key Map No. 111 to remove the h-94 holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-3(21)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

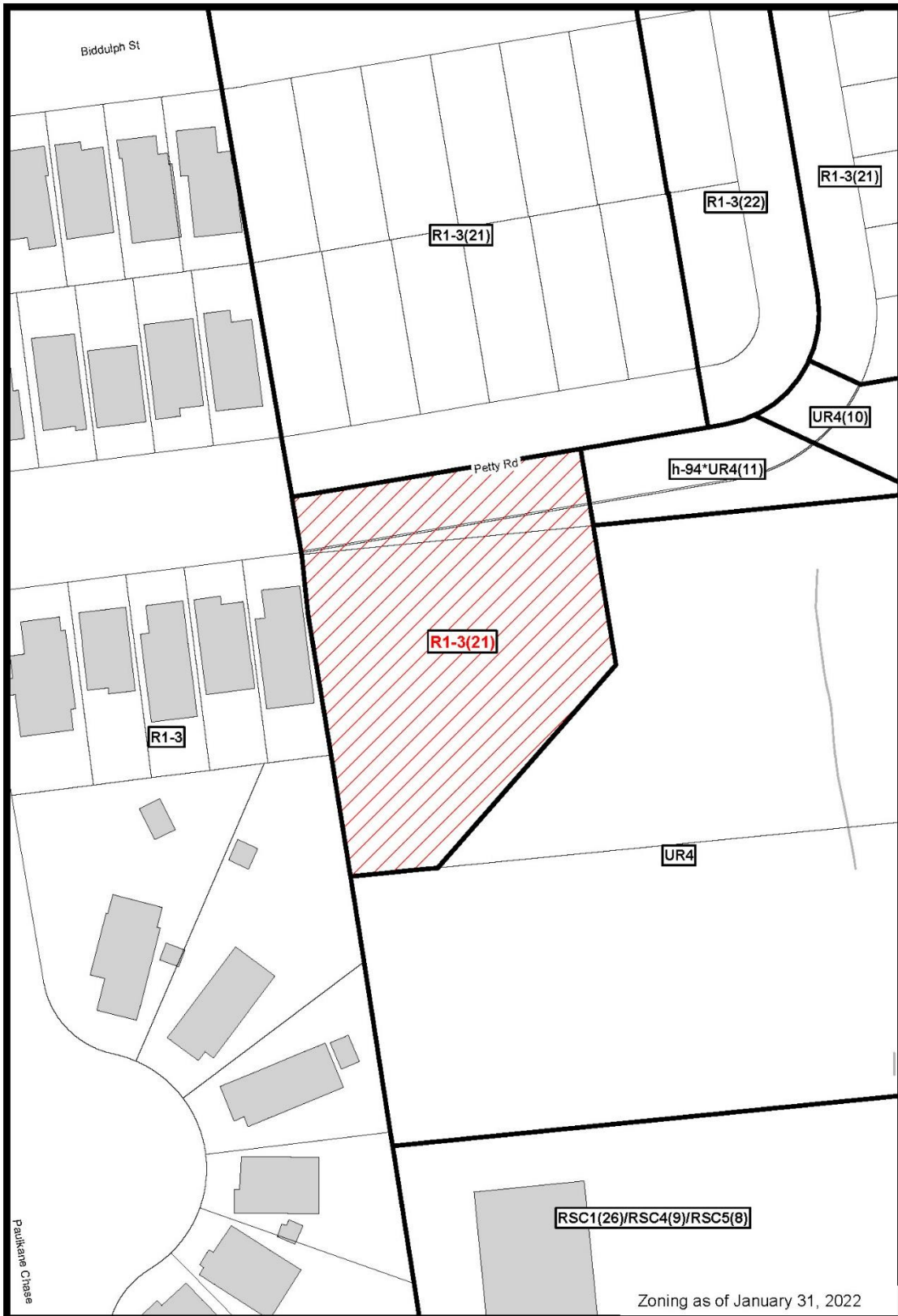
PASSED in Open Council on June 14, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – June 14, 2022  
Second Reading – June 14, 2022  
Third Reading – June 14, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



**File Number:** H-9471  
**Planner:** SM  
**Date Prepared:** 2022/02/16  
**Technician:** RC  
**By-Law No:** Z.-1-

**SUBJECT SITE** 

1:800

0 4 8 16 24 32 Meters





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on February 24, 2022.

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the “h-94” Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to allow development of the lands for single detached dwellings. The purpose of the “h-94” provision is to ensure that there is a consistent lotting pattern in this area, the “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands. Council will consider removing the holding provisions as it applies to these lands no earlier than April 25, 2022.

# Appendix C – Relevant Background

## Existing Zoning Excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
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**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
BY-LAW NO. Z-1  
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9471

SM

MAP PREPARED:

2022/02/16

RC

1:1,000

0 5 10 20 30 40

Meters